

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53883 of 2021

Arising Out of PS. Case No.-65 Year-2021 Thana- BIDUPUR District- Vaishali

KAUSHAL KISHORE TIWARI SON OF SHYAM SUNDER TIWARI
Resident of Village - Digghi Kala Purvi, P.S.- Sadar Hajipur, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection with Bidupur P.S. case No.65/2021 registered under Sections 30/30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 175.200 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this



case. It is alleged that 175.200 liters wine is recovered from the car. The petitioner is the owner of the car in question. Said car is run as public carrier. The petitioner had no knowledge regarding the nature of good kept in the car. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IInd-cum-Excise Court, Vaishali at Hajipur in connection with Bidupur P.S. case No.65/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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